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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 042390.P7353

First Inventor or Application Identifier Raymond C. Edmonds

Title Intelligent Display Interface

Express Mail Label No EL079457660US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents

1.  \* Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original, and a duplicate for fee processing)
2.  Specification [Total Pages 17]  
(preferred arrangement set forth below)
  - Descriptive title of the Invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to Microfiche Appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
3.  Drawing(s) (35 U.S.C. 113) [Total Sheets 2]
4. Oath or Declaration [Total Pages 5]
  - a.  Newly executed (original or copy)
  - b.  Copy from a prior application (37 C.F.R. § 1.63(d))  
(for continuation/divisional with Box 17 completed)  
*[Note Box 5 below]*
    - DELETION OF INVENTOR(S)  
Signed statement attached deleting  
inventor(s) named in the prior application,  
see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).
5.  Incorporation By Reference (useable if Box 4b is checked)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered to be part of the disclosure of the accompanying application and is hereby incorporated by reference therein

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6.  Microfiche Computer Program (Appendix)
7. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
  - a.  Computer Readable Copy
  - b.  Paper Copy (identical to computer copy)
  - c.  Statement verifying identity of above copies

JC 584 U.S. PTO  
09/473598

12/29/99

## ACCOMPANYING APPLICATION PARTS

8.  Assignment Papers (cover sheet & document(s))
9.  37 C.F.R. § 3 73(b) Statement  Power of Attorney  
(when there is an assignee)
10.  English Translation Document (if applicable)
11.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS Citations
12.  Preliminary Amendment
13.  Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
14.  \* Small Entity Statement(s)  Statement filed in prior application, (PTO/SB/09-12)  Status still proper and desired
15.  Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16.  Other .....

\* A new statement is required to be entitled to pay small entity fees, except where one has been filed in a prior application and is being relied upon

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment

Continuation  Divisional  Continuation-in-part (CIP) of prior application No. \_\_\_\_\_ / \_\_\_\_\_

Prior application information Examiner \_\_\_\_\_ Group / Art Unit \_\_\_\_\_

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UNITED STATES PATENT APPLICATION

for

**INTELLIGENT DISPLAY INTERFACE**

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Docket No.: 042390.P7353

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## INTELLIGENT DISPLAY INTERFACE

### BACKGROUND OF THE INVENTION

#### 1. Field of the Invention

The invention relates generally to video displays. More specifically, it relates to updating the data used in video displays.

#### 2. Description of the Related Art

Most modern display devices rely on cathode ray tube (CRT) technology, which requires that any illuminated spot on the display must be constantly regenerated, or refreshed, to keep it from fading away. To avoid the perception of flicker, the entire image is typically refreshed (redrawn) at least 60 times per second, and 75-85 times per second is common. For a high-resolution digital color image, these considerations may require that a signal containing the equivalent of hundreds of millions of bits per second of video data be continuously delivered to the CRT to keep the image on the display screen. This is true even if the image is static, meaning the image itself does not change.

Fig. 1 shows a conventional computer-driven display system. Graphics controller 12 contains video memories 17, 19, which contain digitized data representing the images being displayed on displays 16, 18. Graphics controller 12 is co-located with a computer (not shown), so the computer can update the video memories 17, 19 over a standard high-speed data bus. Image data is repeatedly read from video memory 17 and continuously

delivered to display device 18 over video cable 14. In a like manner, separate image data is repeatedly read from video memory 19 and continuously delivered to display device 16 over video cable 15. The data traveling through each cable is a serial bit stream or analog signal representing the actual image, and is formatted for the particular display device. Therefore, only one image may be transmitted over a particular cable and separate cables are run if different images are to be simultaneously displayed on different display devices. Separate cables are also run if the same image is to be simultaneously displayed on different types of display devices requiring differently formatted signals. If the display devices are very far from the graphics controller (such as flight status monitors scattered throughout an airport), the cost of running these multiple cables can be excessive. In addition, the graphics controller has separate connectors for each cable and separate video driver circuits for each connector, thus adding to the cost of the graphics controller itself.

In recent years, flat panel displays have begun to replace CRT technology for display devices, allowing image data to be transmitted to the display in different formats than that required by CRTs. However, the nature of the technologies used in flat panels still requires repetitive refresh of the image. Even though the refresh rate for a static image might be improved for a flat panel over that of a CRT, moving pictures require the displayed image to be repeatedly changed for all display technologies, and conventional techniques repeatedly refresh the entire image to accomplish motion in the image.

The need to constantly refresh the entire image creates more expensive graphics controllers, excessive cable requirements, and a large bandwidth requirement between the graphics controller and the display.

## **SUMMARY OF THE INVENTION**

An embodiment of the invention pertains to a method of displaying an image by transmitting a portion of video image data to a video memory in a display device, and then updating the video memory with the portion. The portion contains video data representing a part of the video image data that has changed since a previous transmission to the display device

## **BRIEF DESCRIPTION OF THE DRAWINGS**

Fig. 1 shows a block diagram of a prior art system.

Fig. 2 shows a block diagram of an embodiment of a system of the invention.

Fig. 3 shows a block diagram of an embodiment of a display device of the invention.

Fig. 4 shows a flow chart of an embodiment of the image update process.

## **DETAILED DESCRIPTION OF THE INVENTION**

Fig. 2 shows a system 21 of the invention, containing a graphics controller 22 and a communication channel 24 connecting graphics controller 22 to display devices 26 and 28, which contain video memories 27 and 29, respectively. Although only two video display devices are shown, more display devices can be implemented on the same

communications channel 24. Video memories 27, 29 each contain the image data for displaying a separate image on the associated display device 26, 28. Interface circuits 23, 25 are designed to receive the particular data format being used for their respective display device, and place the received video data into the respective video memory. Communications channel 24 can take various forms, such as a bus or a daisy-chained cable. For a bus, each interface circuit 23, 25 receives the same data over the bus at approximately the same time. Each interface circuit has an assigned address, and accepts only those data transmissions from graphics controller 22 which contain that address. Transmissions with any other address are ignored by that device. If communications channel 24 is in the form of a daisy chain, interface 23 can receive a communication from graphics controller 22 and retransmit the communication to interface 25 over a daisy-chain connection. Again, each display accepts only transmissions containing its address and ignores or passes on transmissions addressed to other devices. Both bus and daisy-chain connections are well known in the art. Either may be implemented with serial or parallel data transmission. Communications channel 24 can also be implemented as a wireless channel using radio or optical signals. The nature of the protocol makes the invention transparent to the medium being used.

In operation, controller 22 can initially transmit the data for a first entire image to display device 26 and the data for a second entire image to display device 28. Subsequently, controller 22 may transmit only those portions of the first image that have changed since the previous transmission to device 26, and transmit only those portions of the second image that have changed since the previous transmission to device 28. Under these conditions, the bandwidth needed on communications channel 24 is decoupled from

the refresh rate (how many times per second the image must be refreshed), and instead is tied to how much of the image must be modified, how often it must be modified, and how many images are sharing the channel. In a typical moving picture display, only a small portion of an image changes from one frame to the next, so only a small portion of the image must be replaced. In addition, the human eye and brain attempt to fill in the gaps when an object is moved from one location to the next in successive video frames. The result is the appearance of smooth movement even if successive updates are more than 1/30 of a second apart in time. This slower update rate, combined with updating less information per update, results in a much smaller bandwidth requirement for the channel carrying data to the display.

The addressability of display devices 26, 28 allows all transmissions to devices 26, 28 (and additional devices if implemented) to take place over the same communications channel. Since each display device imposes a smaller bandwidth requirement on the communications channel than is normally required, multiple display devices can share a single channel without increasing the bandwidth requirements normally imposed by a single device. This is true regardless of whether the communications channel is in the form of a bus, a cable, a radio channel or some other form. This also permits a single port from the graphics controller to interface with multiple display devices, reducing the cost and space requirements of the graphics controller.

Updates to a specific display device can be transmitted at predefined intervals or at irregular intervals, such as whenever sufficient video data has changed since the last update. A single update might be limited to only those pixels that have changed.

Alternately, multi-pixel blocks of data may be considered, and a block may be updated if any pixel within it has changed. Various data formats can be used, and different display devices with different format requirements can share the same channel since the various formats can be imbedded into the same communications protocol.

Fig. 3 shows a block diagram of the components of an embodiment of display device 26. Data is received at input 40, typically from communications channel 24, by receiver 32. Receiver 32 can then pass the data on to several places, depending on the configuration. If a daisy chain implementation is used, this data can be passed to the next display device at output 41. If receiver 32 decodes the address of display device 26, the associated data can be further decoded and processed. Protocol handler 36 can interpret various parts of the received data. For instance, it can decode memory location information from the received data and pass this information on to address generator 38, which selects the appropriate memory addresses in video memory 27 in which to store the associated video image data. Protocol handler 36 can also determine how the received data is formatted, for instance whether the data is formatted for a flat panel display or a CRT display. Other types of protocol or formatting information can be decoded and interpreted. The processing performed by protocol handler 36 will depend on the particular standards followed in the data transmitted from controller 22 to display device 26. Regardless of the standards used, the received video data can be separated into pixel address data and pixel content data, which are passed on to the appropriate circuits. For instance, the content and address data can be passed to video memory 27, which acts as a standard video refresh memory for either CRT 48 or flat panel 46. CRTs and flat panels may have different requirements, so the contents of video memory 27 can

be configured for the particular display device being used. Timing generator 44 can output horizontal and vertical sync signals to CRT driver 48, which uses those signals to time the sending of the digitized video data stream from video memory 27 to digital-to-analog converter (DAC) 45. The DAC outputs an analog data signal to a CRT (not shown) on output 49.

Flat panel displays don't inherently require horizontal and vertical sync signals (although some are designed for it to make them compatible with CRT interfaces). Flat panels may accept individually addressable pixels, or may be designed to receive an entire row at a time. Therefore a different set of timing signals are sent to flat panel 46 to control the flow of video data from video memory 27 to flat panel 46. A typical display device will contain either a flat panel or a CRT, but not both. However, for flexibility and simplified manufacturing, the circuit shown in Fig. 3 can include the logic for both types of displays, allowing the same module to be used with either technology. This module can include an interface to a separate display device, such as a third party CRT or flat panel display, or can be incorporated into the display device itself.

Scalar circuit 42 permits adjustments to be made in the granularity of the displayed image, or parts of that image. The transmitted image and the displayed image should ideally contain enough pixel information to display all parts of the image at maximum resolution, with a one-to-one mapping between the pixels in the desired image and the pixels in the displayed image. However, it is sometimes desirable to degrade the granularity in the displayed image by allowing several contiguous pixels in the display to be identical. Although the image quality may be degraded, this technique can offer several advantages. One advantage is to reduce data traffic on communications channel

24 by allowing one transmitted pixel to update several contiguous displayed pixels, thus permitting more display devices to be updated, or more frequent updating of the same number of display devices, without increasing the bandwidth requirements of communications channel 24. Alternately, this technique can be used to communicate a higher-resolution image to a lower-resolution display device. In either case, scalar circuit 42 can accommodate various levels of granularity by adjusting the pixel-to-pixel resolution of the image stored in video memory 27.

Scaling also permits the height-to-width ratio (aspect ratio) of the display to be adjusted, either in physical dimensions or in number of pixels. Computer displays often assume a 640 x 480 display format (4 x 3 aspect ratio) when first booting, but then switch to a higher resolution format such as 1280 x 1024 (5 x 4 aspect ratio). The physical display device may also be designed for a particular aspect ratio that is different than the image being transmitted to it. Such differences can cause distortion in the displayed image. Scalar circuit 42 can overcome this distortion.

Control circuit 30 can be used to control the operating configuration of display device 26 by controlling the configuration of scalar circuit 42 and timing generator 44. Relevant control information can be communicated to control circuit 30 through input 35. The type of information delivered over input 35 is typically only necessary when the device or system is being initialized, so input 35 can be designed for an inexpensive, low bandwidth communications channel. In one embodiment, input 35 uses the Integrated Circuit (I2C) protocol.

Since each display device has its own control circuit 30, each display device on communications channel 24 can be configured for a different protocol or data format. As

long as each display device can identify the device address in an incoming message, the format or protocol of the remainder of the message does not have to be the same for all messages on channel 24. This permits great flexibility by allowing significantly different types of display devices to share the same communications channel.

The invention can also be backwards-compatible with conventional display technologies. Line 43 can pass conventional signals directly to the CRT or flat panel, bypassing the remaining circuitry. This line can also be used as a backchannel to communicate information from display device 26 back to the graphics controller. If the display is not being directly driven, then this line is available for backchannel use. However, even if it is being used to drive a CRT, a sync line can be used for backchannel communications during those intervals when it is not transmitting a sync signal.

By combining these various features, all the aforementioned interface functions can be implemented through one conventional connector.

Fig. 4 shows a simplified update process. The initial image data is transmitted to the video display at block 51, and that image data is written into the video memory at block 52 to establish the initial image. In a subsequent transmission, the image data for the changed portion of the image is transmitted to the video display at block 53, and that data is used to update only the affected areas of the video memory at block 52. Each subsequent transmission to that display device will update only the changed portions of the image by cycling through blocks 53 and 52. The initial image data and the changed image data will typically differ only in the amount of the display that they change (total image change versus partial image change).

In addition to the aforementioned features, communications channel 24 can also be used to communicate non-video information to individual display devices 26, 28. In one embodiment, audio data can be delivered to a display device at various intervals. Such delivery can be at regular intervals or can be irregular intervals, in the same way that video updates can be at regular or irregular intervals. This non-video data can be identified with a separate device address which is decoded by the video display device, or it can use the same device address as the video data and be identified as non-video data through some other indicator within the data message. Alternately, non-video data can be addressed to separate non-video devices (such as audio players) that share communications channel 24 with the video display devices.

When video and audio data are sent with separate addresses, they must be synchronized at the display to avoid timing disparities that are obvious to the viewer, so presentation of the audio data and video data must be coordinated in time even if they are transmitted at different times. This is accomplished by time-stamping each transmission with its relative display time, so that the video and audio data can be matched in time before presentation. This technique can be used for any type of multiple transmissions whose presentations must be synchronized in time.

Broadcast addresses can also be implemented, allowing a message with a global address to be decoded and implemented by many (or all) devices on the channel. This feature is useful for initialization or shutdown commands, in which every device on the channel is directed to reset itself to a predetermined state. It can also be used for any situation in which multiple devices need to receive an identical message.

The use of device addresses on the video channel allows extensible additions to be defined at the transport layer of the communications channel, greatly increasing the flexibility of what would otherwise be only a simple video channel. Using the aforementioned techniques, multiple devices can share a single communications channel 24 controlled through a single communications port in the graphics controller 22. These devices can perform both video and non-video functions as individually directed by the graphics controller 22.

The foregoing description is intended to be illustrative and not limiting. Other variations will occur to those of skill in the art. Such variations are encompassed by the invention, which is limited only by the spirit and scope of the appended claims.

I claim:

1 1. A method of displaying an image, comprising:  
2 transmitting a first portion of first video image data to a first video memory in a  
3 first display device; and  
4 updating the first video memory with the first portion;  
5 wherein the first portion contains video data representing a part of the first video  
6 image data that has changed since a previous transmission to the first  
7 display device, and the first portion excludes a substantial part of the first  
8 video image data that is unchanged since the previous transmission to the  
9 first display device.

1 2. The method of claim 1, further comprising refreshing a first displayed image in  
2 the first display device from the first video memory.

1 3. The method of claim 1, wherein transmitting a first portion is repeated at regular  
2 intervals.

1 4. The method of claim 1, wherein transmitting a first portion is repeated at irregular  
2 intervals.

1 5. The method of claim 4, wherein said irregular intervals are based on detecting a  
2 change in the first video image data since a previous transmission to the first display  
3 device.

1       6.     The method of claim 1, further comprising:  
2                   transmitting a second portion of second video image data to a second video  
3                       memory in a second display device; and  
4                   updating the second video memory with the second portion;  
5                   wherein the second portion contains video data representing a part of the second  
6                       video image data that has changed since a previous transmission to the  
7                       second display device, and the second portion excludes a substantial part  
8                       of the second video image data that is unchanged since the previous  
9                       transmission to the second video display device.

1       7.     The method of claim 6, wherein the first portion and the second portion are  
2     transmitted over a same communications channel.

1       8.     The method of claim 7, wherein the communications channel is a bus.

1       9.     The method of claim 7, wherein the communications channel is a daisy chain  
2     cable.

1       10.    The method of claim 7, wherein the first portion and the second portion are  
2     formatted differently.

1       11.    The method of claim 7, wherein the first portion and the second portion are  
2     formatted alike.

1       12.    The method of claim 7, wherein the first portion includes an address to identify  
2     the first video device and the second portion includes an address to identify the second  
3     video device.

1 13. The method of claim 1, further comprising:  
2 transmitting a second portion of data to the first display device;  
3 time-stamping the first and second portions before transmission; and  
4 synchronizing a presentation of the first and second portions based on the time-  
5 stamping.

1 14. A display device, comprising:  
2 a memory to store image data for display of a video image; and  
3 a receiver to detect a predetermined device address in a received data stream  
4 containing video data for updating a portion of the stored image data;  
5 wherein the video data includes a part of the image data that has changed since a  
6 previously received data stream, and the video data excludes a substantial  
7 part of the image data that is unchanged since the previously received data  
8 stream.

1 15. The display device of claim 14, further comprising a protocol handler to interpret  
2 the received data stream.

1 16. The display device of claim 14, further comprising a timing generator to generate  
2 timing signals for a display.

1 17. The display device of claim 16, further comprising a control circuit to configure  
2 the timing generator.

1 18. The display device of claim 14, further comprising a scalar circuit to change a  
2 granularity of the video image.

1 19. The display device of claim 18, further comprising a control circuit to configure  
2 the scalar circuit.

1 20. The display device of claim 14, further comprising a display interface to at least  
2 one of a CRT and a flat panel.

1 21. The display device of claim 14, further comprising at least one of a CRT and a  
2 flat panel.

1 22. A system for displaying video images, comprising:  
2 a communications channel;  
3 first and second display devices coupled to the communications channel; and  
4 a graphics controller coupled to the communications channel to update a first  
5 portion of a first image displayed by the first display device and to update  
6 a second portion of a second image displayed by the second display  
7 device.

1 23. The system of claim 22, wherein:  
2 the first portion is substantially a part of the first image that has changed since a  
3 previous update of the first image; and  
4 the second portion is substantially a part of the second image that has changed  
5 since a previous update of the second image.

1 24. The system of claim 23, wherein:  
2 the first display device includes a first address decoder to decode a first device  
3 address in a first message received over the communications channel; and

4 the second display device includes a second address decoder to decode a second  
5 device address in a second message received over the communications  
6 channel.

1 25. The system of claim 24, wherein a protocol of the first message is different than a  
2 protocol of the second message.

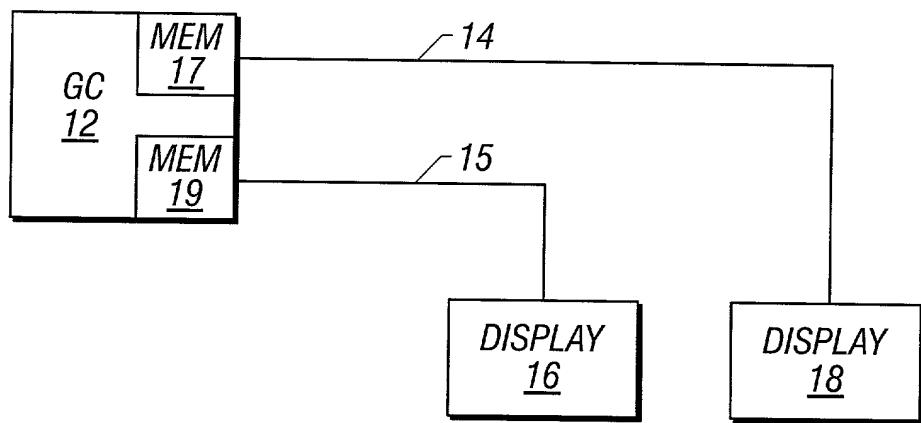
1 26. The system of claim 24, further comprising a non-display device coupled to the  
2 communications channel to receive non-video data.

## ABSTRACT OF THE INVENTION

A video display system that co-locates a video display memory with the video display device, and transmits to the display device those portions of the image data that have changed rather than continually updating the entire video image. Each display device is addressable, allowing multiple display devices showing different images to be updated through a single display controller port over a single bus or over a single daisy-chain connection. The image data can be updated synchronously or asynchronously, and display devices using different formats can share the same bus or cable.

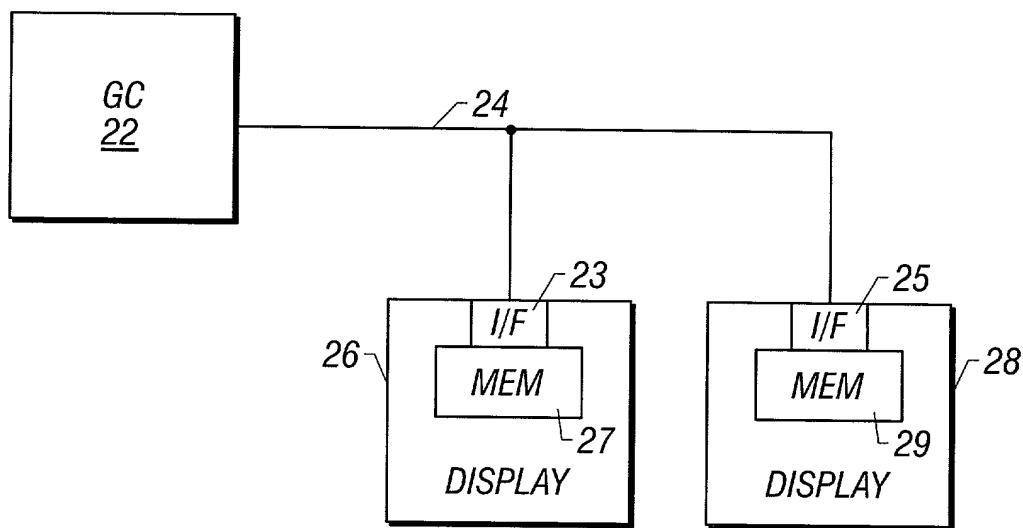
1/2

↙11



**FIG. 1**  
*(Prior Art)*

↙21



**FIG. 2**

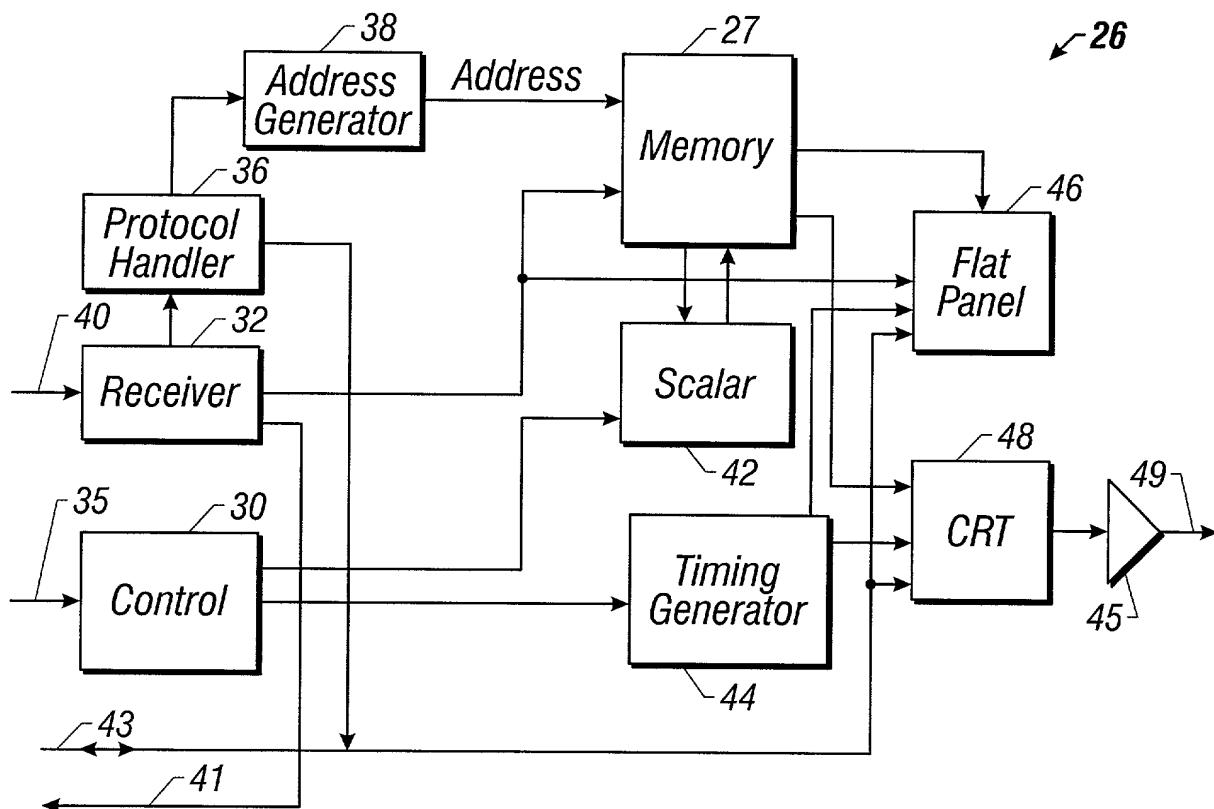


FIG. 3

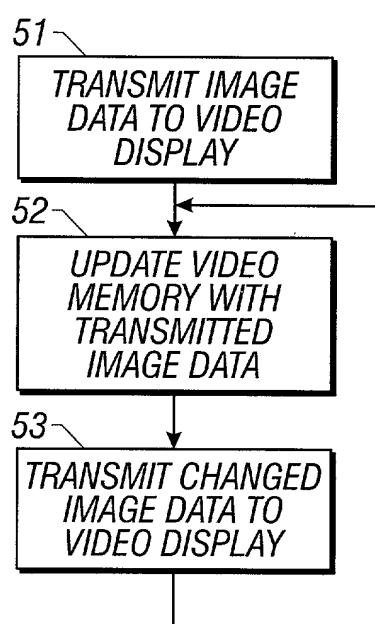


FIG. 4

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**(FOR INTEL CORPORATION PATENT APPLICATIONS)**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**INTELLIGENT DISPLAY INTERFACE**

the specification of which

x is attached hereto.  
   was filed on \_\_\_\_\_ as  
 United States Application Number \_\_\_\_\_  
 or PCT International Application Number \_\_\_\_\_  
 and was amended on \_\_\_\_\_.  
 (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above. I do not know and do not believe that the claimed invention was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (for a utility patent application) or six months (for a design patent application) prior to this application.

I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d), of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>	<u>Priority Claimed</u>			
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
_____	_____	_____	Yes	No
_____	_____	_____	Yes	No
_____	_____	_____	Yes	No

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below

Application Number	Filing Date
--------------------	-------------

Application Number	Filing Date
--------------------	-------------

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application Number	Filing Date	Status -- patented, pending, abandoned
--------------------	-------------	---

Application Number	Filing Date	Status -- patented, pending, abandoned
--------------------	-------------	---

I hereby appoint the persons listed on Appendix A hereto (which is incorporated by reference and a part of this document) as my respective patent attorneys and patent agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

Send correspondence to John F. Travis, BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP, 100 Congress Avenue, Suite 790, Austin, Texas 78701-4042 and direct telephone calls to John F. Travis, (512) 434-2412.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole/First Inventor Raymond C. Edmonds

Inventor's Signature Raymond C. Edmonds Date 12/14/99

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## APPENDIX A

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## APPENDIX B

### Title 37, Code of Federal Regulations, Section 1.56 Duty to Disclose Information Material to Patentability

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclosure information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclosure all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

(1) Prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made or record in the application, and

(1) of a claim; or It establishes, by itself or in combination with other information, a prima facie case of unpatentability

(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office, or

(ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) Each inventor named in the application;

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.